

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48483 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- ATHMALGOLA District- Patna

Chhotu Kumar S/o Naresh Das Resident of Nayatola Sabnima, P.A.-
Athmalgola, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Athmalgola PS Case No. 154 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 73 litres
of country made liquor was recovered from Tempo bearing
Registration No. BR01PR-9157.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted
that petitioner is neither the owner nor the driver of the seized



vehicle. It is further submitted that petitioner is sitting as a passenger in the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 12.05.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Athmalgola PS Case No. 154 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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